

DEVELOPING A COMMUNITY RESPONSE TO ELDER ABUSE IN MAINE

**Remarks by G. Steven Rowe
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**May 3, 2004, Augusta Civic Center
Conference on Elder Abuse**

Good morning. I am very pleased to welcome you to this conference on elder abuse, neglect and exploitation. I understand that we have over 480 people in attendance today.

You are quite a diverse group. You are consumers, law enforcement and public safety officers, health care professionals, long-term care and assisted living facility administrators, elder advocates, domestic violence victim advocates, caseworkers, case managers, care coordinators, prosecutors, private attorneys, social workers, volunteers, and others. We all share one thing in common – we share a concern for the health and welfare of elders in our state. Thank you for attending this conference and committing your time to the important matter of elder abuse, neglect and exploitation in our state.

Our objectives today are threefold: First, to increase awareness of elder abuse. Second, to find ways to prevent and respond to elder abuse. Third, to strengthen existing alliances and build a collaborative community response to elder abuse. On that point, please take advantage of the opportunity to meet with others today. Make new contacts and connections.

As I look at you this morning, I recognize many individuals who have worked tirelessly to protect Maine seniors. We are honored by your presence.

This conference would not be occurring without the support of several groups. I want to express my gratitude to the Maine Bureau of Elder and Adult Services, the Maine Department of Public Safety, Legal Services for the Elderly, AARP, and the Maine Community Policing Institute.

The name of this conference is “Elder Abuse: Developing A Community Response”. Let me say at the outset that when I use the term “elders”, I am referring to people 65 and older.

What do we know about people 65 and older in Maine? We know that presently they total around 185,000, or just over 14% of our state's population. We know that just about 60% of our elders are women. We know that more than 30% of our elders live alone. And we know that, of those who live alone, three out of four are women.

We know that, compared to the rest of the nation, Maine has a much higher percentage of elders living in rural areas. In fact, we rank 2nd in this category. About 56% of our elders live in rural areas, as compared to 22% nationally.

We know that about 10% of Maine elders had incomes below the federal poverty level. We know that Maine ranks 4th for the percentage of elders who are “near poor” – that is they have incomes between 101 to 200% of the federal poverty level.

Also, we know that we are growing older faster than most states. Since 1980, our 65 and over population has grown 23%. As we look ahead, we see even more rapid growth. Although at present 14% of our population is 65 and over, by the year 2020 that number will be 20%. So our elder population will grow from 185,000 today to more than 270,000 in 2020, while our total population will be relatively unchanged. In other words, the elder slice of our population pie will grow but the pie will remain the same size.

I know that some of you are senior citizens. For the rest of you, I ask this question: How many of you would like to be senior citizens when you grow up? Of course you do. The fact is we all look forward to growing old. We all look forward to living our retirement years in good health and in good spirits, in prosperity and without fear. None of us wants to be isolated, abused, neglected, or exploited. Nor do we want others to be. We understand that we are all part of the same community. When one of us is abused, we are all abused. That's how a community works.

So, it's important that we gather today to address the important issue of elder abuse in Maine. It is important that we acknowledge that for many elders living in this state, that slogan about our state is not true. Maine is NOT the way life should be.

We must change that.

Elder abuse comes in many forms - physical violence, sexual abuse, emotional and verbal abuse, neglect, threats, financial exploitation and invasion of privacy.

Sadly, in the vast majority of cases, the perpetrator is a family member or caregiver of the victim. Consider that a 1998 incident study by the National Center on Elder Abuse found that 47% of abusers are adult children, 19% are spouses, and another 17% are grandchildren and other relatives. This means that only about 16% of elder abusers are unrelated to their victims. Because family members are the primary abusers, family violence involving elder abuse is far too often considered a “family matter” and is not treated like the serious crime it is.

Nationally, elder abuse, neglect and exploitation have not received the attention they demand. We are only slowly defining the scope of the problem in our nation, and unraveling the complexity of this societal problem.

Often, only the worst abuse and neglect cases are reported to, or discovered by, the authorities. Let me give you a couple of real life examples here in Maine.

In 2002, a son brought his 76 year old mother to live with him out of state, isolating her from her daughter. The son and his wife repeatedly physically assaulted his mother. The son also took all of her life savings, about \$60,000. Once she was destitute, the victim was sent home to live with her daughter in Maine. Upon returning to Maine, at the urging of her daughter, the mother reported the financial exploitation. During the interview, the investigator noticed the victim’s front tooth was missing. When asked, the victim replied only by making a fist; she could say no more. Her daughter explained that her brother had punched her mother, knocking out the tooth. The woman passed away a year later.

Here’s another tragedy. Last year, a legally blind Maine woman was reliant on her son to pay her bills. Instead of paying her bills, the son spent the mother’s monthly income. She went without utilities for 6 months and suffered mild heart attacks as a result of not receiving necessary medication. She had to go to bed nightly by 7:00 p.m. so that she had sufficient light to climb the stairs. Eventually, her home was foreclosed upon and she went

into a long term care facility. Shortly thereafter, she succumbed to heart disease.

Sadly, these are actual cases right here in Maine. Also last year, in one of the most blatant scams we've ever seen in this state, 2 Canadian women bilked an 80 year old Brunswick woman out of over \$125,000 over the course of several months. While you may hear these facts and think this was just a gullible person, you should know that this woman was very competent at handling her affairs and that these scammers are very crafty and convincing. The victim was told that she had won hundreds of thousands of dollars in the Canadian Lottery, but needed to pay a tax before the funds could be transferred. Once she had made the first payment, the Canadian women tricked her into making several more payments via wire transfer. They made 2 trips to the woman's home to collect large payments, possibly as much as \$30,000 in cash. The victim has been left destitute. She took out a loan to pay for the "taxes on her lottery winnings" and even sold some of her furniture. She is now at risk of losing her home.

You are going to hear other stories of abuse and fraud today. If they make you sad, that's good. If they make you mad, that's good too.

Unfortunately, elder abuse is often a "hidden problem". The victim may be too afraid or ashamed to ask for help or may not know who to turn to. Just as with other forms of domestic violence, abusers use fear to control their victims. Offenders often play on a senior's fear of being alone or being institutionalized. Because the abuser is usually a family member, often a child, the victim wants to protect that person from the criminal justice system. Seniors are also afraid that the little support they have will go away if they report the abuse.

We must bring elder abuse out of the shadows. We must tear down the walls of shame and silence. Elder abuse is more than a violation of rights. It is more than a violation of person. It is a violation of the soul. And it is not just the victim's soul that is violated – so is the soul of society and the conscience of our humanity.

Elder financial abuse is a crime of opportunity and it's on the rise. 70% of the nation's net worth is owned by those ages 50 or older. This makes seniors a rich target. 40% of all reported elder abuse cases involve financial exploitation. Since July 2001, the Bureau of Elder and Adult

Services have referred over \$22 million in substantiated cases of elder financial exploitation to the Office of the Attorney General for investigation. On average, the reported loss is approximately \$39,000 per victim.

Fraud is a unique type of theft – because to be successful, the victim has to agree to participate. Although seniors comprise about 12% of our national population, they comprise 35% of all fraud victims. Seniors are targets of fraud because they have a high incidence of health problems, many live alone, and many seniors are trusting and don't expect others to lie to them. Seniors also have quick access to assets. Finally, seniors are less likely to report than others.

It is not unusual for elderly victims to receive five or more calls a day from high-pressure telephone sales people once they make their first purchase or contribution. While we tend to stereotypically think of these victims as being someone maybe frail or very elderly, this is not always the case. Victims are often outgoing, educated and tied to the community.

Although we often refer to these crimes as “Financial Exploitation”, this may be more appropriately called “Financial Violence.” Financial exploitation strips elders of the ability to pay for necessary health care, medications and shelter. It substantially reduces their standard of living. Scam artists not only rob their victims of their hard-earned financial assets, but also of something more important – their human dignity.

The impact of fraud on elders can be profound and life-altering. A sad statistic is that victims of financial exploitation and abuse are three times more likely to die in the next decade than those in the same age group who are not victims.

Whether it's physical abuse, neglect or financial exploitation, we must start treating these incidents as crimes. Although civil remedies are often an effective way of dealing with financial exploitation, the consideration of criminal prosecution is also important. Many times, the victim will have willingly signed financial documents such as checks, property transfers, etc. If the victim didn't understand what they were signing, it doesn't make it any less a crime. Just because someone has appointed a loved one power of attorney, it doesn't give that person a license to steal.

However, criminal prosecution is only one piece of this puzzle. While police can arrest an abuser, they cannot find specialized housing for an older victim. Prosecutors can convict the abuser, but cannot ensure that victims have adequate financial resources to purchase necessary medication. Advocates can help get necessary services to victims, but cannot protect victims from their abusers. Thus, each agency holds a piece of the puzzle and plays an important role in protecting seniors from abuse and exploitation.

The goal of the responding agencies should be to leave the victim in a better situation than before the intervention. A critical partner in this collaboration effort is the victim. In working with elders who are victims of abuse, it is critical to remember that, while they may be vulnerable, they are most often fully competent to make their own decisions about their lives. We must resist a desire to make decisions for victims. Instead, we must remember to involve them in all aspects of decision-making related to their care, treatment, safety and legal remedies.

I would like to add some personal commentary. I believe that one of the reasons we have so much elder abuse today is because, as a society, we do not treat elders with the respect and reverence that they were treated with in the past, and in which they are still treated in some cultures.

If we go back to literature from the seventeenth and eighteenth centuries, we see that colonial America stressed deference and respect for elders. Today, however, elders are hardly regarded with religious awe or reverence. In fact, they have, in some ways, become outcasts of society, many living on the fringe, isolated from other age groups in facilities.

In a way, this disengagement from the vital functions of society minimizes the disruptiveness of their deaths. Out of sight – out of mind. This is wrong. It is anti-community. And it is an indictment on our society.

The tragedy of ageism is that it robs society of the fullest contributions of its older members, and it denies people's fulfillment of their potential as human beings throughout the life course. We must guard against ageism and the stereotypes that perpetuate it. This will serve to reduce elder abuse, neglect and exploitation and will serve to strengthen our communities and our nation.

In closing, we must remember that we have made a lot of progress. There are a lot of wonderful initiatives and partnerships ongoing. Certainly, the Area Agencies on Aging are involved. So is BEAS and a number of other agencies, governmental and nongovernmental. I have personally participated in a number of educational forums as part of AARP's consumer universities and TRIAD events.

TRIAD chapters have sprouted up throughout Maine. Law enforcement, seniors and a number of agencies work together to help seniors protect themselves. Knowledge is power. And the more knowledge seniors have to protect themselves, the better.

I have been particularly impressed with the number of law enforcement agencies that have designated Elder Services Officers. Many of you are here today, demonstrating your commitment. These officers build relationships with the elderly in their communities.

I have also been impressed with the work of the Maine Elder Death and Abuse Review Team. This is a group of diverse individuals who review elder abuse and death cases in an attempt to identify and rectify system failures.

We are doing a lot, but there is so much more we can do. Today, we come together to acknowledge the reality of elder abuse and exploitation – to acknowledge that it is a community problem and that it requires a community response.

During the day, we will analyze every aspect of elder abuse, neglect and exploitation. At the end of each session, we want you to participate by offering your thoughts on what we, as a community, can do to better prevent and respond to abuse.

This afternoon, we will showcase agencies that are working in collaboration to address the issues of elder abuse and exploitation.

Thank you for attending this conference. Thank you for making the commitment to help protect Maine's elders. I look forward to working with you in that effort.